

REMARKS

Applicants respectfully request reconsideration of the instant application in view of the following remarks. Claims 18-19, 24-29, 60-69, and 71-97 are pending in this application. Applicants note that the instant amendment introduces no new amendments to the claims.

Claim Rejections - 35 USC § 103

Claims 18-19, 24-29, 60-69, 71-73, 75, and 80-85 have been rejected under 35 U.S.C. § 103 as being unpatentable over the Examiner's assertion of Joao (US 6,347,302). Claims 74 and 86-97 have been rejected under 35 U.S.C. § 103 as being unpatentable over the Examiner's assertion of Joao (US 6,347,302) in light of Joseph (2001/0034690). Applicants respectfully traverse these rejections and request reconsideration in view of the above amendments and the following discussion.

With regard to claims 18, 19, 24-29, 60-69, 71, 75, 80, and 81, the Examiner asserts that, "... there are many types of options that a service provider may consider," in "charging a premium for an insurance policy," "as incentive with a sale or lease of the item," and, "with the sale or lessee [sic] of the item as fully-paid insurance policy covering a loss relating to the item." The Examiner then proceeds to refer to certain buyer or lessee characteristics that might allow a service provider to overlook other aspects of a buyer's or lessee's record: "...a longtime customer with a decent/good record," "Paid on time, clean driving record, old age type of considerations," "...a longtime customer who pays on time," etc. Consideration of such individual buyer or lessee characteristics, however, is contrary to the claim elements which permit "charging a premium for an insurance policy" or "providing as an incentive included with the sale or lease of the item, a paid insurance policy," without consideration of characteristics of specific qualified buyers or lessees (see, e.g., claim 18:

"...without consideration of individual characteristics of buyers or lessees."). Furthermore, if a service provider followed the Examiner's suggestion, he or she would be required to apply differential treatment to individual qualified buyers or lessees on a case-by-case basis, causing the service provider to suffer from the same inadequacies of the prior art laid out in the Background of the Invention that are overcome by the present invention.

With regard to particular elements of claims 74 and 86-97, the Examiner makes similar arguments, regarding service provider considerations, as those discussed above. Thus the arguments of the previous paragraph apply to these claims as well

Consequently, the reference(s) cited by the office action do not result in the claimed invention, there was/is no motivation for such a combination of references (i.e., cited references do not teach, read on, suggest, or result in the claimed invention(s)), and the claimed inventions are not admitted to be prior art. Thus, the Applicant respectfully submits that the supporting remarks and claimed inventions, claims 18-19, 24-29, 60-69, and 71-97, all: overcome all rejections and/or objections as noted in the office action, are patentable over and discriminated from the cited reference(s), and are in a condition for allowance. Furthermore, Applicant believes that the above remarks, which distinguish the claims over the cited reference(s), pertained only to noted claim element portions. These remarks are believed to be sufficient to overcome the prior art. While many other claim elements were not discussed, Applicant asserts that all such remaining and not discussed claim elements, all, also are distinguished over the prior art and reserves the opportunity to more particularly remark and distinguish such remaining claim elements at a later time should it become necessary. Further, any remarks that were made in response to an Examiner objection and/or rejection as to any one claim element, and which may have been re-asserted as applying to another Examiner objection

and/or rejection as to any other claim element(s), any such re-assertion of remarks is not meant to imply that there is commonality about the structure, functionality, means, operation, and/or scope of any of the claim elements, and no such commonality is admitted as a consequence of any such re-assertion of remarks. As such, Applicant does not concede that any claim elements have been anticipated and/or rendered obvious by any of the cited reference(s). Accordingly, Applicant respectfully requests allowance, and the reconsideration and withdrawal of the rejection(s) and/or objection(s).

If a telephone conference would facilitate prosecution of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 03-1240, Order No. 17246-004.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 03-1240, Order No. 17246-004.

Respectfully submitted,
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